

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re: PVC Pipe Antitrust Litigation

Case No. 1:24-cv-07639

Hon. LaShonda A. Hunt

This Document Relates To:

All Direct Purchaser Plaintiff Actions

DIRECT PURCHASER PLAINTIFF BILL WAGNER & SON, INC.’S MOTION -- UNOPPOSED¹ BY SETTLING DEFENDANT OIL PRICE INFORMATION SERVICE, LLC (“OPIS”) – FOR: (1) PRELIMINARY APPROVAL OF PROPOSED SETTLEMENT BETWEEN THE DIRECT PURCHASER PLAINTIFF CLASS AND DEFENDANT OPIS, (2) CERTIFICATION, FOR SETTLEMENT PURPOSES ONLY, OF THE PROPOSED DPP SETTLEMENT CLASS, (3) APPOINTMENT OF KAPLAN FOX & KILSHEIMER LLP AS SETTLEMENT CLASS COUNSEL AND BILL WAGNER & SON, INC. AS REPRESENTATIVE OF THE DPP SETTLEMENT CLASS, (4) APPOINTMENT OF JND LEGAL ADMINISTRATION LLC AS SETTLEMENT ADMINISTRATOR AND THE HUNTINGTON NATIONAL BANK AS ESCROW AGENT, (5) THE CONVERTER DEFENDANTS TO PRODUCE TO SETTLEMENT CLASS COUNSEL THEIR CUSTOMER CONTACT INFORMATION TO EFFECTUATE REASONABLE NOTICE, (6) APPROVAL OF THE FORM AND CONTENT OF CLASS NOTICE AND THE

¹OPIS, the Settling Defendant, does not oppose DPP’s motion. Because the Settlement Agreement required the terms of DPP’s settlement with OPIS to remain confidential until this motion was filed, it was not possible to conduct a pre-filing meet-and-confer with other parties. As detailed in the accompanying brief, on May 29, 2025, Interim Lead Counsel wrote to the non-settling Defendants asking them to provide, on a confidential basis, Interim Lead Counsel with their customer lists in order to effectuate individual, direct notice of the settlement to members of the DPP Settlement Class. The non-settling Defendants responded on June 4, 2025 that they were not in a position to evaluate the request for customer lists until after they had seen DPP’s preliminary approval filings and until other issues were resolved, and advised that they intended to inform DPP of their position on the motion once they are able to review the papers. Therefore, as of the time of this filing, Interim Lead Counsel does not know whether the non-settling Defendants will oppose the part of DPP’s motion requesting that the Court order the non-settling Defendants to produce their customer information. If, after reviewing this filing, the non-settling Defendants oppose that part of DPP’s motion, Interim Lead Counsel will, pursuant to this Court’s procedures, promptly confer with non-settling Defendants and submit an agreed proposed briefing schedule with respect to the request that non-settling Defendants produce their customer information in order to facilitate notice.

**NOTICE PLAN, AND (7) SETTING SCHEDULE FOR THE DISSEMINATION OF
CLASS NOTICE AND FAIRNESS HEARING**

Direct Purchaser Plaintiff Bill Wagner & Son, Inc. (“DPP”), by and through Court-appointed Lead and Liaison Counsel, respectfully moves this Court for an Order: (1) Preliminarily Approving the Proposed Settlement Between the Direct Purchaser Plaintiff Class and Defendant Oil Price Information Service, LLC, (2) Certifying, for Settlement Purposes Only, the Proposed DPP Settlement Class, (3) Appointing Kaplan Fox & Kilsheimer LLP as Settlement Class Counsel and Bill Wagner & Son, Inc. as Representative of the DPP Settlement Class, (4) Appointing JND Legal Administration LLC as Settlement Administrator and The Huntington National Bank as Escrow Agent, (5) Requiring the Converter Defendants Produce to Settlement Class Counsel their Customer Contact Information to Effectuate Reasonable Notice, (6) Approving the Form and Content of Class Notice and the Notice Plan, and (7) Setting the Schedule for the Dissemination of Class Notice and Fairness Hearing.

Dated: June 6, 2025

Respectfully submitted,

By: /s/ Robert N. Kaplan

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*Counsel for Direct Purchaser Plaintiff Bill Wagner &
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CERTIFICATE OF SERVICE

I certify that on June 6, 2025, I caused true and correct copies of this Motion and its accompanying brief and supporting documents to be served on all counsel of record via the Court's CM/ECF system.

/s/ Robert N. Kaplan
Robert N. Kaplan